

FCC MAIL SECTION
Before the
Federal Communications Commission
Washington, D.C. 20543
JUL 23 11 46 AM '93

ORIGINAL

MM Docket No. 89-585
DISPATCHED BY

In the Matter of

Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations.
(Eatonton, Fayetteville,
Greenville, Hogansville, Sparta,
and Thomaston, Georgia, and
Ashland and Valley, Alabama)¹

RM-8070
RM-8072
RM-8166

REPORT AND ORDER
(Proceeding Terminated)

Adopted: July 6, 1993;

Released: July 22, 1993

By the Chief, Allocations Branch:

1. The Commission has before it for consideration the *Notice of Proposed Rule Making and Order to Show Cause* ("Notice"), 7 FCC Rcd 6805 (1992), issued in response to two conflicting petitions for rule making. Orchon Broadcasting Company ("Orchon"), permittee of Station WEJG(FM), Channel 239A, Greenville, Georgia, requested the substitution of Channel 239C3 for Channel 239A at Greenville, Georgia, and the modification of its construction permit to specify operation on the higher class channel (RM-8070). Good Medicine Radio Georgia, Inc. ("GMR"), licensee of Station WSKS(FM), Channel 249A, Sparta, Georgia, and Design Media, Inc. ("DMI"), licensee of Station WQUL(FM), Channel 249A, Griffin, Georgia (jointly referred to as the "petitioners"), requested the substitution of Channel 249C3 for Channel 249A at Sparta

and the reallocation of Channel 249C3 to Eatonton, Georgia; the substitution of Channel 248C3 for Channel 249A at Griffin and the reallocation of Channel 248C3 to Fayetteville, Georgia, and the modification of the licenses for Stations WSKS(FM) and WQUL(FM) to specify Eatonton and Fayetteville, respectively, as their communities of license. In order to accommodate the upgrades and changes of community the petitioners also requested the substitution of Channel 239A for Channel 248A at Hogansville, Georgia, and the modification of Station WEIZ(FM)'s construction permit to specify Channel 239A; the substitution of Channel 237A for Channel 239A at Greenville, Georgia, and the modification of Station WEJG(FM)'s construction permit to specify Channel 237A; the substitution of Channel 266A for Channel 237A at Thomaston, Georgia, and the modification of Station WTGA(FM)'s license to specify Channel 266A; and the substitution of Channel 238A for Channel 237A at Ashland, Alabama, and the modification of Station WASZ(FM)'s license to specify Channel 238A (RM-8072).

2. In response to the *Notice*, Radio Georgia, Inc. ("Radio"), licensee of Station WTGA(FM), Thomaston, Georgia, filed supporting comments. Orchon filed comments and a "protest." Petitioners and T. Wood and Associates, Inc. ("Wood"), permittee of Station WEIZ(FM), Channel 248A, Hogansville, Georgia, filed a counterproposal requesting the substitution of Channel 251C3 for Channel 248A at Hogansville, Georgia, and the substitution of Channel 239C3 for Channel 239A at Greenville, Georgia. In order to accommodate the upgrade at Hogansville, petitioners and Wood also request the substitution of Channel 237A for Channel 251A for Station WUAF(FM), Valley, Alabama (RM-8166).² Orchon filed reply comments supporting the petitioners' counterproposal.³ Perry Communications, Inc. ("Perry"), licensee of Station WASZ(FM), Channel 237A, Ashland, Alabama, filed an unacceptable counterproposal and reply comments.⁴ Petitioners, Orchon, and Pearce Broadcasting Partnership ("Pearce"), permittee of Station WUAF(FM), Channel 251A, Valley, Alabama, filed reply comments. In response to the counterproposal petitioners filed reply comments restating their intentions to apply for the respective channels.

¹ The community of Valley, Alabama, has been added to the caption.

² Public Notice of the counterproposal was given January 19, 1993, Report No. 1925 (RM-8166).

³ Therefore, Orchon's comments and protest of the *Order to Show Cause* and reply comments filed by petitioners are now moot, and will not be discussed.

⁴ Perry requested the substitution of Channel 238C3 in lieu of Channel 238A for Channel 237A at Ashland, Alabama. In order to accommodate the upgrade at Ashland, Perry also requested the substitution of Channel 252A for vacant but applied for Channel 238A at Holly Pond, Alabama, for which there is one application pending; and the substitution of Channel 261A for Channel 252A at Scottsboro, Alabama for Station WKEA(FM). We note that Perry filed comments requesting the upgrade and channel changes by the deadline for filing counterproposals in this docket, but included no technical showing in support of its counterproposal. Technical information and other comments supporting the counterproposal was filed by Perry on December 29, 1992, the deadline for reply comments in this docket. Therefore, the counterproposal was not filed in accordance with our Rules and is unacceptable for consideration.

In any event, we note that Perry's counterproposal is technically defective. A staff engineering analysis has determined that the substitution of Channel 238C3 for Channel 237A at Ashland at coordinates 33-24-15 and 85-59-56 would violate Section 73.315(b) of the Rules. There is a major obstruction in the line of sight path between the proposed antenna site for Channel 238C3 and the city of Ashland. The obstruction exists approximately 12 kilometers (7.5 miles) southeast from the proposed site and is severe enough that a 70 dBu signal could not be provided to Ashland. In addition, the substitution of Channel 261A for Channel 252A at Scottsboro, Alabama, is short-spaced to the proposed allotment of Channel 261C3 at Anniston, Alabama. See MM Docket 89-585, 6 FCC Rcd 6580 (1991), *app. for rev. pend.* It is Commission policy to decline the acceptance of proposals that are dependent upon final action in another rule making proceeding, particularly when that proceeding is contested, as is MM Docket No. 89-585. See *Oxford and New Albany, Mississippi*, 3 FCC Rcd 615 (1988), *recon. granted*, 3 FCC Rcd 6626 (1988). Therefore, we will not consider Perry's counterproposal in this proceeding.

3. **BACKGROUND.** As indicated in the *Notice*, the proposed use of Channel 249A at Sparta and the proposed use of Channel 249C3 at Eatonton are mutually exclusive. GMR contends that the reallocation of Channel 249C3 from Sparta (population 1,701)⁵ to Eatonton (population 4,737) will provide Eatonton with its first full-time local transmission service, while Sparta will continue to be served by Station WHAN(FM).⁶ GMR states that Eatonton is an incorporated city with a mayor, city council, volunteer fire department, numerous businesses, financial institutions and residential areas in the city. Eatonton has a variety of civic organizations such as a Lions Club, Mason Lodge and Elks Club. The city provides its own police protection and has its own post office. GMR claims that the reallocation and upgrade of Station WSKS(FM) at Eatonton will serve 83,989 persons in 4,759.5 square kilometers, which represents an increase in 55,466 persons and 2,929.6 square kilometers over the present facility.

4. Further, the *Notice* stated that the proposed use of Channel 249A at Griffin and the proposed use of Channel 248C3 at Fayetteville are mutually exclusive. DMI states the reallocation of Channel 248C3 from Griffin (population 21,347) to Fayetteville (population 5,827) will provide Fayetteville with its first local transmission service, while Griffin will continue to receive service from Stations WHIE(AM) and WKEU(AM). DMI states that neither community is located within an Urbanized Area. DMI states that Fayetteville is an incorporated city with a mayor, city post office, banks and numerous businesses. The city provides its own fire and police services, separate from county services. DMI claims that the reallocation and upgrade of Station WQUL(FM) at Fayetteville will serve 867,736 persons in 4,782.3 square kilometers, which is an increase of 744,796 persons and 2,445.4 square kilometers over the present facility.

5. In further support of their proposals, petitioners claim that the proposed Class A channel substitutions will enable Station WEIZ at Hogansville and Station WTGA at Thomaston to operate as 6 kilowatt facilities. Specifically, petitioners maintain that Station WEIZ, Hogansville, Georgia, will be able to serve 65,589 persons in 2,497.8 square kilometers, an increase of 9,113 persons and 670.6 square kilometers over its present facility. Station WTGA, Thomaston, Georgia, will be able to serve 20,376 persons in 2,275.3 square kilometers, which represents an increase of 7,108 persons in 612 kilometers over its present facility.

6. **COMMENTS.** Petitioners and Wood filed a counterproposal requesting the substitution of Channel 251C3 for Channel 248A at Hogansville, Georgia, Stations WEIZ(FM), which eliminates the conflict between Orchon's proposal to substitute Channel 239C3 for Channel 239A at Greenville, Georgia, and the petitioners' proposal. Wood proposes to change the reference coordinates for Channel 239C3 at Greenville to 33-01-11 and 84-46-06,

noting that the coordinates initially requested and proposed in the *Notice* (33-01-39 and 84-51-39) conflict with its proposal to upgrade Station WEIZ(FM) at Hogansville.

7. Petitioners and Orchon claim that adoption of their proposals will serve the Commission's allotment priorities and policies.⁷ They state that the reallocation of Channel 249C3 from Sparta to Eatonton will provide a first full-time local transmission service and a first competitive daytime service to Eatonton, thereby fulfilling priority four of the FM allotment priorities. The reallocation of Channel 248C3 from Griffin (population 21,347) to Fayetteville (population 5,827) will provide a first local transmission service to Fayetteville, which will fulfill priority three of the FM allotment criteria, while eliminating two currently authorized grandfathered short-spacings. Four stations will be able to upgrade from Class A to Class C3, while also allowing Station WASZ(FM) at Ashland, Alabama, and Station WTGA(FM) at Thomaston, Georgia to improve their service. In addition, Station WUAF(FM) at Valley, Alabama, will be able to improve its service at the current transmitter site.

8. Petitioners and Orchon claim that these proposals will provide a new service to approximately 965,183 persons. Petitioners state that after the substitution of Channel 248C3 for Channel 249A at Griffin and the reallocation of Channel 248C3 from Griffin to Fayetteville, Station WQUL(FM) will continue to provide 60 dBu reception service to Griffin, and will provide reception service to an additional 55,466 persons. They also state that after the substitution of Channel 249C3 for Channel 249A at Sparta and the reallocation of Channel 249C3 from Sparta to Eatonton, Station WSKS(FM) will continue to provide 60 dBu reception service to Sparta, and will provide reception service to an additional 744,796 persons. In addition, they claim that the substitution of Channel 251C3 for Channel 248A at Hogansville will provide reception service to an additional 51,932 persons. The substitution of Channel 238A for Channel 237A will allow Station WASZ(FM) to operate as a 6 kilowatt facility, provide reception service to an additional 7,108 persons at its current transmitter site, and eliminate a grandfathered short-spacing with Station WSRM(FM), Coosa, Georgia. Additionally, they state that the substitution of Channel 266A for Channel 237A at Thomaston will allow Station WTGA to operate as a 6 kilowatt facility, and provide reception service to an additional 9,907 persons. Finally, they allege that the substitution of Channel 237A for Channel 251A at Valley, Alabama will allow Station WAUF to operate as a 6 kilowatt facility, provide reception service to an additional 10,189 persons at its presently authorized transmitter site, and eliminate a grandfathered short-spacing with Station WAGH(FM), Fort Mitchell, Alabama. Petitioners and Orchon also state that the adoption of these proposals would eliminate the need for the Commission to resolve a previous proceeding in MM Docket No. 90-309.⁸

⁵ Population figures are taken from the 1990 U.S. Census, unless otherwise stated.

⁶ Station WKVQ(AM), a daytime-only station, is licensed to Eatonton.

⁷ The FM priorities are (1) first aural service, (2) second aural service, (3) first local service, and (4) other public interest matters. Co-equal weight is given to priorities (2) and (3). See *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982).

⁸ MM Docket No. 90-309 was initiated to substitute Channel 248C3 for Channel 249A at Griffin, Georgia, to substitute Channel 288A for Channel 248A at Hogansville, Georgia, and to substitute Channel 249C3 for Channel 249A at Sparta, Georgia. However, a counterproposal to allot Channel 288A to Bowdon, Georgia, was adopted, and the upgrade at Griffin and Sparta were denied. See 6 FCC Rcd 4863 (1991), *recon. pend.*

9. Orchon has stated its intention to reimburse Pearce for reasonable expenses in changing its frequency at Valley, Alabama. Pearce filed reply comments including a copy of the agreement in which it consented to change its frequency and Orchon agreed to reimburse Pearce for expenses incurred with the channel change. Petitioners have stated their intentions to reimburse the licensee of Station WASZ(FM) at Ashland, Alabama, for the reasonable costs incurred with its channel change, and they also state their intentions to reimburse the licensee of Station WTGA(FM) at Thomaston, Georgia, for the reasonable costs incurred for relocating its transmitter site.

10. **DISCUSSION.** We will adopt the proposals set forth by petitioners, Orchon and Wood. We believe the substitution of Channel 249C3 for Channel 249A at Sparta, the reallocation of Channel 249C3 from Sparta to Eatonton, Georgia, and the modification of Station WSKS(FM)'s license to reflect the changes is in the public interest. The reallocation will not remove the sole local transmission service from Sparta, as Station WHAN(FM) will remain in the community. Eatonton, which is not in an Urbanized Area, will receive its first full-time station. Our engineering analysis indicates that the reallocation will enable Station WSKS(FM) to upgrade its station and provide reception service to an additional 52,465 persons, including 2,514 persons who will receive a fifth full-time reception service and 389 persons who will receive a fourth full-time reception service. We recognize that the removal of Station WSKS(FM) from Sparta will create a reception service loss area of 4,720 persons who will continue to receive at least five full-time aural reception services, and several small areas of population where some 534 persons will receive four full-time aural reception service reception services. While we carefully consider any proposal that would result in a loss of existing reception service, we believe the public interest is well served by this reallocation proposal, given the large reception service gains, and the relatively small reception service losses that would result, as well as the fact that this proposal permits a number of other service improvements as well.

11. Similarly, we believe that the substitution of Channel 248C3 for Channel 249A at Griffin, Georgia, the reallocation of Channel 248C3 from Griffin to Fayetteville, Georgia, and the modification of Station WQUL(FM)'s license to reflect the changes is in the public interest for the following reasons. The reallocation will provide Fayetteville, which is not in an Urbanized Area, with its first local transmission service. The reallocation will not remove Griffin's only local transmission service, as Stations WHIE(AM) and WKEU(FM) will remain in the community. Our engineering analysis indicates that Station WQUL(FM) will be able to upgrade its station and provide reception service to an additional 725,958 persons, including 224 persons who currently receive four full-time recep-

tion services. The removal of Station WQUL(FM) will create a reception service loss area of 15,827 persons, all of whom will continue to receive at least five full-time aural reception services. We believe the public interest is served by the proposal, since it will provide a first local service to Fayetteville and will provide additional reception service to over 700,000 persons.

12. We also believe the public interest would be served by substituting Channel 251C3 for Channel 248A at Hogansville, Georgia, and by modifying Station WEIZ(FM)'s construction permit to specify Channel 251C3, in order to provide that community with a wide coverage area FM service. This proposal requires channel substitutions at Thomaston, Georgia, and Ashland, Alabama. We will also substitute Channel 239C3 for Channel 239A at Greenville, Georgia, and modify the construction permit of Station WEJG(FM) to specify the higher class channel since it would provide the community with a wide coverage area service. This proposal also requires a channel substitution at Valley, Alabama. As a result of these changes, the Thomaston, Ashland and Valley stations will be able to operate as 6 kilowatt facilities.

13. As stated in the *Notice*, Channel 249C3 can be reallocated to Eatonton with a site restriction of 8.6 kilometers (5.4 miles) northeast of the community,⁹ in order to avoid a short-spacing to Station WFOX(FM), Channel 246C, Gainesville, Georgia, and to avoid a short-spacing to a construction permit for Station WKXK(FM), Channel 250C3, Fort Valley, Georgia. Channel 248C3 can be reallocated to Fayetteville with a site restriction of 2.7 kilometers (1.7 miles) southwest,¹⁰ in order to avoid a short-spacing to Station WFOX(FM), Channel 246C, Gainesville, Georgia. Channel 239C3 can be allotted to Greenville with a site restriction of 5.2 kilometers (3.2 miles) west,¹¹ in order to avoid a short-spacing to Station WNGC(FM), Channel 238C, Athens, Georgia. Channel 251C3 can be allotted to Hogansville with a site restriction 16.0 kilometers (9.9 miles) west,¹² in order to avoid a short-spacing to a construction permit for Station WVOK(FM), Channel 250A, Oxford, Alabama, to Station WAGH(FM), Channel 252A, Fort Mitchell, Alabama, and Station WSB(FM), Channel 253C, Atlanta, Georgia. Channel 266A can be allotted to Thomaston in compliance with the Commission's minimum distance separation requirements with a site restriction 5.7 kilometers (3.5 miles) west,¹³ in order to avoid a short-spacing to Station WPGA(FM), Channel 265A, Perry, Georgia, and Station WCJM(FM), Channel 265A, West Point, Georgia. Channel 238A can be allotted to Ashland, Alabama, in compliance with the Commission's minimum distance separation requirements at its currently licensed transmitter site.¹⁴ Channel 237A can be allotted to Valley, Alabama, in compliance with the Commission's minimum distance separation requirements at its construction permit site.¹⁵

⁹ The coordinates for Channel 249C3 at Eatonton are North Latitude 33-23-03 and West Longitude 83-19-22.

¹⁰ The coordinates for Channel 248C3 at Fayetteville are North Latitude 33-25-42 and West Longitude 84-28-22. We note the possibility of interference to the FCC Monitoring Station at Powder Springs, Georgia. Therefore, the licensee of Station WQUL(FM) will be required to provide protection to the monitoring station.

¹¹ The coordinates for Channel 239C3 at Greenville are North

Latitude 33-01-11 and West Longitude 84-46-06.

¹² The coordinates for Channel 251C3 at Hogansville are North Latitude 33-09-56 and West Longitude 85-05-11.

¹³ The coordinates for Channel 266A at Thomaston are North Latitude 32-54-08 and West Longitude 84-23-13.

¹⁴ The coordinates for Channel 238A at Ashland are North Latitude 33-18-30 and West Longitude 85-50-58.

¹⁵ The coordinates for Channel 237A at Valley are North Latitude 32-55-12 and West Longitude 85-13-04.

14. Pursuant to the provisions of Section 1.420(i) of the Commission's Rules, we are modifying herein the license of Station WSKS(FM) to specify operation on Channel 249C3 at Eatonton, Georgia in lieu of Channel 249A at Sparta, Georgia, and the license of Station WQUL(FM) to specify operation on Channel 248C3 at Fayetteville, Georgia, in lieu of Channel 249A at Griffin, Georgia. In accordance with Section 1.420(g) of the Commission's Rules, we will also modify the construction permit for Station WEJG(FM) to specify Channel 239C3 in lieu of Channel 239A at Greenville, Georgia, and modify the construction permit for Station WEIZ(FM) to specify Channel 251C3 in lieu of Channel 248A at Hogansville, Georgia. We will also modify the license for Station WASZ(FM) to specify operation on Channel 238A in lieu of Channel 237A at Ashland, Alabama; modify the construction permit for Station WAUF(FM) to specify Channel 237A in lieu of Channel 251A at Valley, Alabama, and modify the license for Station WTGA(FM) to specify operation on Channel 266A in lieu of Channel 237A at Thomaston, Georgia, in order to accommodate the changes in community of license and upgrades.

15. Commission policy requires reimbursement to affected stations for the reasonable costs associated with changing frequencies. See *Circleville and Columbus, Ohio*, 8 FCC 2d 159 (1967). Orchon has stated its intention to reimburse the permittee at Valley, Alabama, for reasonable expenses in changing its frequency and Pearce, the permittee of the Valley station, has given its consent to Orchon. Petitioners have stated their intentions to reimburse the licensee of Station WASZ(FM) at Ashland, Alabama, for the reasonable costs incurred with its channel change, and they also state their intentions to reimburse the licensee of Station WTGA(FM) at Thomaston, Georgia, for the reasonable costs incurred for relocating its transmitter site.¹⁶ Radio, licensee of Station WTGA(FM), has consented to the change in transmitter site. Perry, licensee of Station WASZ(FM), Ashland, did not object to the change in channel and is deemed to have consented to the proposal.

16. Accordingly, pursuant to the authority found in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective **September 10, 1993**, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED for the community listed below, as follows:

City	Channel No.
Ashland, Alabama	238A
Valley, Alabama	237A
Eatonton, Georgia	249C3
Fayetteville, Georgia	248C3
Greenville, Georgia	239C3
Griffin, Georgia	--
Hogansville, Georgia	251C3
Sparta, Georgia	274A
Thomaston, Georgia	266A

17. IT IS FURTHER ORDERED, That pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license of Good Medicine Radio Georgia, Inc., for Station WSKS(FM), IS MODIFIED, to specify operation on Channel 249C3 at Eatonton, Georgia, in lieu of Channel 249A at Sparta, Georgia, subject to the following conditions:

- (a) Within 90 days of the effective date of this *Order*, the licensee shall submit to the Commission a minor change application for a construction permit (Form 301), specifying the new facility;
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620; and
- (c) Nothing contained herein shall be construed to authorize a change in transmitter location or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's Rules.

18. IT IS FURTHER ORDERED, That pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license of Design Media, Inc. for Station WQUL(FM), IS MODIFIED, to specify operation on Channel 248C3 at Fayetteville, Georgia, in lieu of Channel 249A at Griffin, Georgia, subject to the following conditions:

- (a) Within 90 days of the effective date of this *Order*, the licensee shall submit to the Commission a minor change application for a construction permit (Form 301), specifying the new facility;
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620; and
- (c) Nothing contained herein shall be construed to authorize a change in transmitter location or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's Rules.

19. IT IS FURTHER ORDERED, That pursuant to Section 316(a) of the Communications Act of 1934, as amended, the construction permit issued to Orchon Broadcasting

¹⁶ We agree with the petitioners argument that since Station WEIZ(FM) at Hogansville and Station WEJG(FM) at Greenville will achieve desired upgrades they are not entitled to reimbursement.

Company for Station WEJG(FM), Greenville, Georgia, and the construction permit issued to T. Wood and Associates, Inc., for Station WEIZ(FM), Hogansville, Georgia, ARE MODIFIED, to specify operation on Channel 239C3 at Greenville, Georgia, and Channel 251C3 at Hogansville, Georgia, respectively, subject to the following conditions:

- (a) Within 90 days of the effective date of this Order, the licensee shall submit to the Commission a minor change application for a construction permit (Form 301), specifying the new facility;
- (b) Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620; and
- (c) Nothing contained herein shall be construed to authorize a change in transmitter location or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's Rules.

20. IT IS FURTHER ORDERED, That pursuant to Section 316(a) of the Communications Act of 1934, as amended, the license of Perry Communications, Inc., for Station WASZ(FM), Ashland, Alabama, the construction permit issued to Pearce Broadcasting Partnership for Station WAUF(FM), Valley, Alabama, and the license of Radio Georgia, Inc., for Station WTGA(FM), Thomaston, Georgia, ARE MODIFIED, to specify operation on Channels 238A, 237A and 266A in lieu of Channels 237A, 251A, and 237A, respectively, subject to the following conditions:

- (a) Nothing contained herein shall be construed as authorizing any change in the authorizations for Stations WASZ(FM), WAUF(FM) and WTGA(FM), except the channel as specified above. Any other changes, except for those so specified under Section 73.1690 of the Rules require prior authorization pursuant to an application for construction permit (FCC Form 301).
- (b) Program tests may be conducted in accordance with the provisions of Section 73.1620 of the Rules, PROVIDED the transmission facilities comply in all respects with the station authorization except for the channel as specified above and a license application (FCC Form 302) is filed within 10 days of commencement of program tests.

21. Pursuant to Commission Rule Section 1.1104(1)(k) and (2)(k), any party seeking a change of community of license of an FM or television allotment or an upgrade of an existing FM allotment, if the request is granted, must submit a rule making fee when filing its application to implement the change in community of license and/or upgrade. As a result of this proceeding, Good Medicine Radio Georgia, Inc., licensee of Station WSKS(FM), and Design Media, Inc., licensee of Station WQUL(FM), are required to submit a rule making fee in addition to the fee required for the application to effect the change of community of license and upgrade. In addition, Orchon Broadcasting Company, permittee of Station WEJG(FM), and T. Wood and Associates, Inc., permittee of Station WEIZ(FM), are required to submit a rule making fee in addition to the fee required for the application to effect the upgrades.

22. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

23. For further information concerning this proceeding, contact Nancy J. Walls, Mass Media Bureau, (202) 634-6530.

FEDERAL COMMUNICATIONS COMMISSION

Michael C. Ruger
Chief, Allocations Branch
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Mass Media Bureau